

MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES
JULY 14, 2008

MINUTES – Meeting in Newton City Hall – Cafeteria

PRESENT: Doug Sweet (Co-Chair), Rob Caruso, Lucie Chansky, Jini Fairley, Linda Hiller, Jeff Hutter, Rosemary Larking, Barbara Lischinsky, Girard Plante, Heather Platt, Jason Rosenberg, Janna Zwerner (Co-Chair),
REGRETS: Jane Brown, Beverly Droz (staff)
STAFF: Lowell Haynes, Kathleen Cahill and Amy Yuhasz
GUESTS: Linda Hiller and Geneva Boyer

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The meeting was called to order at 6:50 pm, following the Committee's honoring of Janna Zwerner, Co-Chair, who is leaving the Committee because she is moving out of state. The meeting was chaired by both Janna Zwerner and Douglas Sweet, Co-Chairs.

The minutes of the May and June 2008 meetings were accepted.

Update on Commission Status:

Janna reported that she and Jason met with Mayor Cohen and he is in full support of the Committee becoming a commission. He suggested that given the current state of economic constraints, that if the current revenue received for handicapped parking violations by the City is \$30,000, that the Committee request only the portion of funds received that is over the \$30,000 be allocated to them.

Janna explained that there are currently two accounts that receive this revenue and both are administered by the Police Department. Each account makes about \$15,000 annually which is put into the general fund. Jason explained that given the City's financial shortfall with the override not passing, the Board of Aldermen would be more likely to agree to earmark funds for the Commission, if the Commission would only take those funds that are above the \$30,000 projected annually.

There was some discussion regarding how much the City is charging for a violation. A few years ago when it was researched, it was found that the City was not charging the maximum amount allowed. Janna said that some tickets in other communities are \$500 now. If you misuse a placard it's a moving violation, and they take the placard. The placards can be given if the expected duration of the disability is six months or longer. Police are supposed to check to make sure the person using the placard's picture matches the one on their driver's license. All placards have an expiration date.

Whether to ask for the whole amount collected from violations or some portion of that was debated. Lowell pointed out that if the Police were to assign someone to do more work enforcing violations, it would drive the revenue up. If funds were obtained by the Commission, at least a portion of the funds could be used to hire part-time or off-duty police officers to do increased ticketing and therefore increase revenue would be collected. There was also some discussion of funds being used for pedestrian access improvements and possibly to hire a staff person or pay part of the salary for a staff person for the Commission. It was noted that Waltham has been able to collect between \$2,500 and \$3,500 a month with increased enforcement.

A motion was made to recommend that Newton fines for violations go to the maximum amount allowable.
The motion was approved unanimously.

The Committee recommends that the City accept that part of the statute which allows Disability Commissions to receive the funds which are payments for violations of handicapped parking spaces and handicapped parking placards/license violation which would be used by the Commission in support of its mission; provided however that the portion of funds collected after the first \$20,000 received would constitute the funds for the Commission. The Commission would utilize a portion of said funds to pay for police details to enforce said violations. **The motion passed 9:2:0** with Rosemary and Jini voting in opposition. Rosemary was concerned that Police Department would not make an effort at enforcement if they did not see the revenue. Lowell explained that the Police Department is not directly benefitting from any of the funds now. They all go into the general fund. Jini stated that they should not be trying to negotiate the amount of funds, since all of the funds would go to increase accessibility in the City.

Jason asked to be allowed to amend his recommendation to allow the Commission to administer all of the funds collected. **The amended motion passed unanimously.**

Rob made a motion that the MCPD not take an August vacation break and hold a meeting the third Monday in August, and Rosemary seconded it. **The motion passed 10:0:1.**

As a next step, Jason said he would pull together details from both Newton's and Waltham's budgets before Committee members start to advocate to the Aldermen. Lucy said she would research how many other communities have commissions, if they are using the money, and if so, how they are using it. For the next meeting, Girard will draft talking points to use to discuss the proposal with the Aldermen. With this information available, they should be able to file a request with the Mayor to jointly docket the item by the end of summer.

Other Business:

- Atrium Mall, Chestnut Hill – Rosemary brought up two issues of inaccessibility at the Atrium Mall. On one of the entrance doors to the Mall, there is no accessible door opener on the outside set of doors. Once you get through those doors, there is a second set of doors with an electronic automatic door opener. Staff said they would talk to ISD about the issue and conduct a site visit if necessary.

The second area of concern is that the shuttle bus from the Atrium to the Chestnut Hill Mall does not have a lift. It's a regular van. Kathleen said she would also research this issue.

- Jumbo Seafood Restaurant – The outdoor seating area has an eight inch step all around it, and it is not accessible from the building either. Kathleen will also research this issue.
- City Hall elevator entrance – Once you get off of the elevator, the exit button to get outside is missing from the wall. Staff will research the repair status.

CDBG Access Project Status Report – presented by Kathleen Cahill

This report was submitted to MCPD by email before this meeting for their review. Per usual it is copied here within the minutes. Discussion notes follow the report.

- Accessible Pedestrian Signals (Project CD0703C. Expended, \$25,015; Budget balance: \$17,135) – *Work will proceed in July/August.* The Committee has requested the installation of APS-10 audible pedestrian signals at the intersections of Walnut and Cabot and Beacon and Chestnut. Centre St. and Centre Ave. is a third priority intersection; however that is on-hold until pending the completion of a pedestrian improvement study conducted by VHB. Washington St. and Commonwealth Ave. is a

fourth priority intersection. VHB is currently doing the design work for this intersection. We are hoping that the project will include accessible pedestrian signals funded from traffic mitigation funds.

- Wellington Park Access (Project CD0303C. Expended, \$5,411; Budget balance, \$0) – *Anticipate bench installation in July.* This project is a joint project using CDBG funds and Community Preservation Act (CPA) funds. The project is complete, except for the bench installation. *[See following project.]*
- Benches (Project CD0403C. Expended, \$2,334; Budget balance, \$0) – *Anticipate bench installation in July.* The benches have been delivered to the City and the Parks and Recreation Department for installation. *(Expected Date of Completion: July 2008)*
- Curb Cuts (Project CD0803G. Expended, \$154,005; Budget Balance: \$19,798.57) – *Work on curb cuts is well underway.* We are still expanding our list of curb cuts to be done in the 2008 construction season. Mayor's Committee members are encouraged to report priority locations for needed curb cuts. *(Expected Date of Completion: None. On-going work.)*
- Public Facilities and Parks Access (Project CD0703A. Expended, \$27,975; Budget balance, \$40,075, all funds committed: \$11,193 allocated to the remainder of the Newton Centre Playground walkway and \$28,882 allocated to sidewalk improvements at the Norumbega Garden Apartments).
- FY09 Funds (Project CD0903A. \$89,232) – *This represents funds available for project(s) to be determined.* Because of the on-going need for accessible curb cuts, this budget is a logical source for applying to future curb cut construction. The committee may consider voting to commit these funds, to the installation and reconstruction of curb cuts, at this meeting.

DISCUSSION

Intersections that may need accessible pedestrian signals include Walnut Street and Beacon Street, Langley Road and Beacon Street and Washington Street and Beacon Street.

Kathleen provided a breakdown of available funds. A total \$109,030.57 is available in FY08 and FY09 CDBG access funds. Kathleen also told the Committee that the cost per curb cut has gone up substantially over the past two years and is now approximately \$5,000 per curb cut.

Girard and Kathleen presented information on the portions of Woodland Road that are badly in need of new sidewalks. The estimated cost of the repairs is \$14,102. Committee members felt that Lasell College should be contacted to see if they would be willing to pay for the repairs since many students walk in the street because of the disrepair. A student was actually killed walking in the street less than two years ago. Girard said he would draft a letter of request to send to the President. Kathleen said she would assist him.

Staff noted that three projects that were recently recommended for funding are not on this list yet, because they have not yet been approved by the Mayor. Doug questioned the Housing Authority interior pathway improvement project. People pointed out that the Housing Authority's funds for operating costs have been cut drastically over the past several years.

Other Business:

- Boston College Conte Forum Report – Girard briefed the Committee on the letters and meetings that he and Lowell have had with BC officials to try to resolve accessibility issues at the Forum. Improvements have been made with the lift on the north entrance where there were several infractions. They have made considerable progress, but there is still some work to be done.

- HP parking request for Dr. Michael Sheff – Rob has visited and spoken with Dr. Sheff. Rob recommended installation of a drop-off in front of the building. Lucy disagreed because she thought the owner was just trying to stop a “junk truck” from parking in front of the building and has an adequate parking lot to handle parking needs. Rob made a motion to recommend installation of a drop-off in front of the building. Heather seconded the motion. **Motion passed 6:2:0.**
- Old Time Garage – Barbara described the issue of cars being parked in the sidewalk in front of the garage. Often people must walk on busy Washington Street to get around the cars. Since Barbara contacted the owner in June the situation has improved, but she is concerned that it will be short-lived. Doug said the Committee would send a letter to the owner.
- Auburndale Star Market – Girard mentioned that the exit door is too narrow. Staff will investigate the situation.
- Geneva Boyer asked the Committee to investigate whether flashing fire alarms are required in the bathrooms of schools. They do not have them in Newton South. Staff will research this issue.

Kathleen suggested that the Committee may want to consider recommending that at least a portion of the unallocated funds be designated for curb cut installation. Heather Platt pointed out that the curb cuts installed in the last year or so need to have contrast in the ramp area of the curb cut. She asked that staff find out how much it would cost to paint them.

Doug asked Kathleen to bring a list of the proposed curb cut locations to the next meeting, so the Committee can help prioritize locations. Until they do that, they did not want to make a funding recommendation.

Final Business

Staff informed the Committee that the Planning and Development Board adopted a new policy at their last meeting to require both applicants for funding and advisory committee members recommending funding to be present at the public hearing for the request.

There was a motion to adjourn at 9:25pm.

The next meeting will be on Monday, August 18 at 6:30pm in the cafeteria.

Respectfully submitted by Amy Yuhasz